

Remarks

The Restriction Requirement has divided the claims into 4 groups of allegedly distinct inventions:

- I. Claims 1-15 (drawn to a subcombination of a spill reducing apparatus);
- II. Claim 16 (drawn to a combination of a sealing apparatus and cup);
- III. Claims 17-20 (drawn to a combination of a spill reducing apparatus and lid); and
- IV. Claims 21-28 (drawn to a combination of spill reducing device, a cup and a lid).

Applicants provisionally elect the claims of Group I for prosecution in this application.

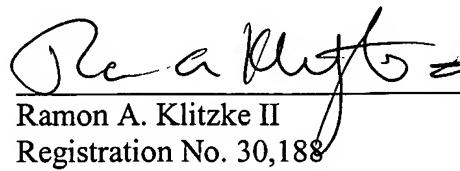
Applicants reserve the right to traverse any restriction between the remaining claims of Groups II-IV that might be requested in any divisional application, as well as any election of species that might be requested in such an application.

The Examiner has improperly characterized the inventions in Groups I and III as distinct. The Examiner states that claims 1-15 (Group I) are drawn to a subcombination of a spill reducing apparatus. The Examiner states that claims 17-20 (Group III) are drawn to a combination of a spill reducing apparatus and lid. However, as is apparent from the preambles of claim 1 and claim 17, the claims of Group I and Group III are both directed to a spill reducing apparatus suitable for releasable attachment to a cup and lid combination. Accordingly, applicants request that the restriction requirement with respect to Group III be withdrawn and that the claims in Groups I and III be examined together in this application.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By


Ramon A. Klitzke II
Registration No. 30,188

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 228-9446